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State Real Estate Appraisers Board
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STATE REAL ESTATE APPRAISERS BOARD

PUBLIC SESSION MINUTES

MARCH 31, 2015

The regular meeting of the Board of Real Estate Appraisers was held at 124 Halsey Street on the 3RD Floor on Tuesday, **MARCH 31, 2015**. The meeting was convened in accordance with the provisions of the Open Public Meeting Act. Board President Mr. Palumbo called the meeting to order at 9:30 A.M. A roll call was taken and the following attendance was recorded for these minutes:

John A. McCann	Present
Barry J. Krauser	Present
Cheryl A. Randolph-Sharpe	Excused
Joseph Palumbo	Present

Also, present were: Steven Flanzman, Senior Deputy Attorney General; Barbara Lopez, Deputy Attorney General; Charles Kirk, Acting Executive Director; Emilio Aviles, staff and Judith Nadal, staff.

RATIFICATION OF ALL RECOMMENDATIONS AND VOTES IN MINUTES FOR FEBRUARY 24, 2015

Following review and discussion by the Board and upon motion of Mr. Krauser seconded by Mr. McCann it was determined that the minutes of February 24, 2015 with all the of the committee's recommendations and votes to be adopted as actions of the Board. A vote was taken and the motion was carried, unanimously.

DIRECTOR'S REPORT

Acting Executive Director, Mr. Charles Kirk made the following announcements:

*** There were three Investigative Inquiries scheduled for this meeting.

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INTRODUCTION OF KIM RINGLER, Deputy Director of the Division of Consumer Affairs

*** Kim Ringler, Deputy Director of the Division of Consumer Affairs, appeared before the Board at this meeting to introduce herself and her position within the Division. She further expressed her gratitude and thanked the Board for their service and dedication in their position.

CONTINUING EDUCATION

PROVIDER		COURSE TITLE	HOURS
Northeast Chapter NJ Appraisal Institute	(1)	9 th Annual Meadowlands Conference	7 Hrs of C.E.
NJ Chapter of International Association of Assessing Officers	(1)	Tax Appeals 2015 (13 th Annual)	6 Hrs. Of C.E.
Southern NJ Chapter of Appraisal Institute	(1)	State of the Industry; View from the Bench	3 Hrs. Of C.E.
	(2)	Hot topics in Appraising	7 Hrs. Of C.E.
ASFMRA	(1)	Going Concerns Value and Intangible Assets	8 Hrs. Of C.E.
American School of Business	(1)	2014-2015 USPAP	7 Hrs. Of C.E.
NAIFA	(1)	5.0 Ethics	2 Hrs. Of C.E.
Metro NJ Chapter of the Appraisal Institute	(1)	79 th Annual Princeton Conference	6.5 Hrs. Of C.E.
NJ Central Chapter of the NAIFA	(1)	Introduction to Litigation Valuation	4 Hrs. Of C.E.
NAIFA-NJ South Chapter	(1)	Hot topics in Appraisal Law	2 Hrs. Of C.E.
Mortgage Bankers Association of New York, Inc.	(1)	MBA Inaugural NY Real Estate Strategic Lending Summit	5 Hrs. Of C.E.

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McKissock	(1)	Appraisal Review for Commercial Appraisers	7 Hrs. Of C.E.
	(2)	Marcellus Shale: Effects of Energy Resource Appraisers	3 Hrs. Of C.E.
	(3)	The New FHA Handbook 4000.1	7 Hrs. Of C.E.
The Counselors of Real Estate	(1)	The Counselors of Real Estate 2015 Midyear Meetings	13 Hrs. Of C.E.

RENEWALS

McKissock	(1)	The Green Guide to Appraising	7 Hrs. Of C.E.
	(2)	Modern Green Building Concepts	6 Hrs. Of C.E.
Appraisal Institute	(1)	Advanced Income Capitalization	32 Hrs. Of C.E. 35 Hrs of Pre-Lic.
	(2)	Online General Appraiser Income Approach, Part 1	27 Hrs. Of C.E. & 30 Hrs. Of Pre-Lic.
	(3)	Online Comparative	7 Hrs. Of C.E.

INDIVIDUAL REQUEST

Edward Turner	(1)	NCREIF Fall Conference	15 Hrs. Of C.E.
Nanying Jia	(1)	Understanding Residential Construction	7 Hrs. Of C.E.
	(2)	Land and Site Valuation	7 Hrs. Of C.E.
	(3)	Fundamental Concepts of Analysis	7 Hrs. Of C.E.
	(4)	2014-2015 7 Hour USPAP	7 Hrs. Of C.E.

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Charles Madison	(1)	Supervisory Appraiser / Trainee Course	4 Hrs. Of C.E.
Sung Lee	(1)	NCREIF Winter 2015	14 Hrs of C.E.

Following review and discussion by the Education Committee of the Board and upon motion of Mr. Krauser, seconded by Mr. McCann it was determined that the C.E. Courses and Renewals listed above did meet the established criteria for the designated approved hours and that they be approved as noted above. A vote was taken and the motion was carried, unanimously

RULES, ADOPTIONS and LEGISLATION

- *** **Assembly, No. 1456, State of New Jersey, 216th Legislature re:** “Requires taxpayer to provide certificate of merit setting forth estimated true value of certain property which is subject to count tax appeal”

Regulatory Analyst, Rachel Glasgow appeared before the Board regarding the draft adoption of Assembly, No. 1456. Following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the New Jersey State Real Estate Appraisers Board support Assembly, No. 1456. Furthermore, it be suggested that the time table of 10 days of filing a petition of appeal with the Board be changed to 120 days. A vote was taken and the motion was carried, unanimously.

- *** **Assembly, No. 3351, State of New Jersey, 216th Legislature re:** “Requires taxpayer appealing assessment of real property assessed at more than \$1 million to file an appraisal within 90 days of filing the appeal”

Regulatory Analyst, Rachel Glasgow appeared before the Board regarding the draft adoption of Assembly, No. 3351. Following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the New Jersey State Real Estate Appraisers Board take a “no position” regarding Assembly Bill No. 1456. However, that in the event that the Bill is to be approved and passed that language be changed to reflect that the appraisal is to be completed by a “Licensed or Certified Real Estate Appraiser”. Furthermore, that the language referring to the appraisal be provided by the 90th day next following the filing date of a tax appeal be changed to the 180th day. A vote was taken and the motion was carried, unanimously.

DISCIPLINARY ACTIONS TAKEN

- ** IMO – MATTHEW ALMEIDA** - Provisional Order of Discipline Filed February 20, 2015 imposing a suspension of License until he submits proof of successful completion of the 28 Hours of Continuing Education as well as imposing a \$2,500.00 Civil Penalty.

At this meeting, it was noted that a response has been received from Mr. Almeida regarding the Provisional Order of Discipline as well as submitting proof of completion of 28 Hours of continuing education. Therefore, following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the Provisional Order of Discipline be Finalized, however, waiving the suspension of Mr. Almeida's License, whereas, he has submitted the required continuing education, however, imposing the \$2,500.00 Civil Penalty. A vote was taken and the motion was carried, unanimously.

- ** IMO – WILLIAM RYAN** - Provisional Order of Discipline Filed February 20, 2015 imposing suspension of License until he submits proof of successful completion of 2 Hours of Continuing Education as well as imposing a \$750.00 Civil Penalty

At this meeting, it was noted that a response has been received from Mr. Ryan regarding the Provisional Order of Discipline. Mr. Ryan has submitted proof of the 2 hours in which he was deficient. Therefore, following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the Provisional Order of Discipline be withdrawn, whereas, the hours were completed within the correct cycle. A vote was taken and the motion was carried, unanimously.

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- ** IMO – ROBERT JOHNSON** - Provisional Order of Discipline Filed February 20, 2015 imposing suspension of License until he submits proof of successful completion of the 28 Hours of Continuing Education as well as imposing a \$3,500.00 Civil Penalty.

At this meeting ,it was noted that a response has been received from Mr. Johnson regarding the Provisional Order of Discipline. Mr. Johnson has submitted proof of completion of the required continuing education hours. Therefore, following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the Provisional Order of Discipline be finalized, however, waiving the suspension of Mr. Johnson’s license, whereas, he has completed the required continuing education and reducing the civil penalty from \$3,500.00 to \$1,000.00. A vote was taken and the motion was carried, unanimously.

- ** IMO – PATRICK F. DeVINCENTIS** - Provisional Order of Discipline Filed February 20, 2015 imposing a \$750.00 Civil Penalty.

At this meeting, it was noted that a response has been received of from Mr. DeVincentis regarding the Provisional Order of Discipline requesting reconsideration of the Civil Penalty imposed. Following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the Provisional Order of Discipline be Finalized imposing the \$750 Civil Penalty. A vote was taken and the motion was carried, unanimously.

- ** IMO - EDWARD IRELAND** - Provisional Order of Discipline Filed February 20, 2015 imposing suspension of License until he submits proof of successful completion of the 28 Hours of Continuing Education as well as imposing a \$3,500.00 Civil Penalty.

At this meeting, it was noted that a response has been received regarding Mr. Ireland’s Provisional Order of Discipline advising that the late Mr. Ireland is no longer with us and has passed away. Therefore, following review and discussion by the Board and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the Provisional Order of Discipline be withdrawn. A vote was taken and the motion was carried, unanimously.

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**** IMO --CARLOS QUINTERO - Consent Order Filed March 26, 2015 I**
imposing:

- ** 6 months stayed suspension**
- ** \$5,000.00 Civil Penalty**
- ** \$236.25 in Costs**
- ** Successful completion of a 15 Hour USPAP Course**
- ** Successful completion of a 15 Hour Report Writing Course**

The Board reviewed, discussed and duly noted the above Order.

PENDING APPLICATIONS

Certified Residential

Nicholas D. Guarducci
Robert Russo

Rosemarie Moriarty-Rainer

Certified General

John A. Gross
Sara B. Rosenbaum

Kristin N. Rohner
Raja Waran

Following review and discussion by the Board of the above noted applicants and upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the above noted candidates did meet the established criteria for Licensure and that their applications be approved. A vote was taken and the motion carried, unanimously.

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PUBLIC COMMENT

Bruce Shapiro, Bob Solotist and Tim Kaufman of the Appraisal Community addressed the Board with issues of mutual concern.

ADJOURNMENT

Upon motion of Mr. McCann, seconded by Mr. Krauser it was determined that the Public Meeting be adjourned at 11 A.M. and the Board proceed to the Executive Session. A vote was taken and the motion carried, unanimously

Respectfully submitted,

CHARLES F. KIRK
For the Board